

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

CASE NO.: 08-CIV-6487

VERIFIED RETURN OF SERVICE

**THOMAS TUNE, professionally
known as "TOMMY TUNE"**

Plaintiff/Petitioner,

vs.

**MARVIN SHULMAN and MARVIN
SHULMAN MANAGEMENT, LLC.**

Defendant/Respondent.

Received by **ESQUIRE EXPRESS, INC.** on **08/04/2008** at **09:00 AM** to be served upon:

MARVIN SHULMAN MANAGEMENT, LLC.

I, **HAROLD COLON**, depose and say that:

I certify that I am over 18, have no interest in the above action, am a Certified Process Server in good standing, in the Judicial Circuit in which the process was served.

On **08/11/2008** at **09:15 PM**, I served the within **SUMMONS IN A CIVIL ACTION, COMPLAINT AND DEMAND FOR JURY TRIAL** on **MARVIN SHULMAN MANAGEMENT, LLC.** at **90 ALTON ROAD** By **Serving MARVIN SHULMAN, MIAMI BEACH, FL 33139** in the manner indicated below:

INDIVIDUAL SERVICE: By delivering to the within named person a true copy of this process with the date and hour of service endorsed thereon by me, and a copy of the complaint, petition or other initial pleading or paper (if any) and informing the person of the contents in accordance with F.S. 48.031 (1) (a).

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated it are true.

X

Harold Colon
HAROLD COLON - Cert/Appt#: 1467
ESQUIRE EXPRESS, INC.
1501 NW 29th STREET
MIAMI, FL 33142
305.530.9580
Attorney: JOHN J. ROSENBERG
Firm: ESSENTIAL SERVICE GROUP
Addr: 555 8TH AVENUE, SUITE 1901
CSZ: NEW YORK, NY 10018
Notary not required (F.S. 92.525)

592/PS7-174

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

THOMAS TUNE, professionally known as
"TOMMY TUNE,"

SUMMONS IN A CIVIL ACTION

V.

MARVIN SHULMAN and MARVIN SHULMAN
MANAGEMENT LLC

CASE NUMBER:

08 CIV 64877

TO: (Name and address of Defendant)

Marvin Shulman Management LLC
90 Alton Road
Miami Beach, FL 33139-6707

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rosenberg & Giger P.C.
488 Madison Avenue, 10th Floor
New York, NY 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

DEPUTY CLERK

JUL 21 2008

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	8/11/2008
NAME OF SERVER (PRINT)	TITLE	Process Server
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>90 Alton Road</u> <u>Miami Beach, FL 33139</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>08/11/2008</u>	<u><i>Harold Colon</i></u> Date Signature of Server	
<u>151 NW 29th St. Miami, FL 33142</u> Address of Server		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.